DETAILED ACTION

1.   The amendment received on 02/27/2008 has been considered. It has been noted that
claims 1,2,18-20,22,25,27, and 28 have been amended. Claims 6-17,21,23,24,26, and 29 have
been cancelled. New claims 30-36 have been added.

Claim Objections

2.   Claims 27 and 28 are objected to under 37 CFR 1.75(c) as being in improper form
because they are dependent on a claim they precede. See MPEP § 608.01(n).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by
> the manner in which the invention was made.

4.   Claims 1-3,20,34, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over
Sparks II (US 6,352,479) in view of Yoseloff et al (US 2002/0074726), Yamada (US
6,398,651), and De Souza (US 6,033,306).

Re claims 1,2,20,34, and 35: Sparks II teaches a gaming system for providing a game
comprising personal attribute information / *personal profile* storing means (24) for storing
personal attribute information / *personal profile* corresponding to each of a plurality of
players **(see fig. 2; col.5, lines 17-18 and 48-51)**.

However, Sparks II fails to teach the gaming system for providing a game comprising

special game shift means for causing the game to shift from a normal mode to a special mode based on the personal attribute information of at least one of the plurality of players; comprising a game agent function unit adapted to serve as a player when the plurality of players are less than a predetermined number of players; special game shift before the game starts; generating group of players composed of a predetermined number of players.

Yoseloff et al teaches the gaming system for providing a game comprising special game shift / *triggering event* means/unit/*microprocessor* for causing the game to shift from a normal mode to a special mode / *bonus event* based on the personal attribute information / *player identity* of at least one of the plurality of players **(see par.30)**.

Yamada teaches comprising a game agent function unit adapted to serve as a player when the plurality of players are less than a predetermined number of players; special game shift of playing against computer rather than play against another player before the game starts **(see col.9, lines 29-35)**.

De Souza teaches generating group of players composed of a predetermined number of players **(see col.9, lines 40-45)**.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a special game shift means for shifting to a special mode from a normal mode before the start of the game so that players of the game will have more chances and opportunity to win during a game play thereby increasing the player's enjoyment of the game It also would have been obvious to one of ordinary skill in the art at the time the invention was made to include determining step at the start of the game and the step of playing against another player or against the computer if there are not enough predetermined amount of players

thereby providing the need for players to wait for other players before the game can be played.

Re claims 3: Sparks II teaches the gaming system wherein the personal attribute information / *personal profile* is composed of basic information originating from each of the plurality of the players **(see fig.8; col.5, lines 8-13)**.

5.   Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sparks II (US 6,352,479) in view of Yoseloff et al (US 2002/0074726), Yamada (US 6,398,651), and De Souza (US 6,033,306) and further in view of Vancura (US 6,033,307). The teachings of Sparks II, Yoseloff et al, De Souza, and Yamada have been discussed above.

Re claim 4: Sparks II teaches the gaming system and method for providing a game comprising personal attribute information.

However, Sparks II fails to teach the gaming system and method wherein at least one of the players playing the game in the special mode has a greater advantage than in the normal mode.

Vancura teaches the gaming system and method wherein at least one of the players playing the game in the special mode / *bonus game* has a greater advantage than in the normal mode **(see col.3, lines 62-67)**.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to include having a greater advantage in the special mode than in the normal mode of the game so has to increase the interest of the player thereby increasing enjoyment and excitement.

6.   Claims 5,18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Sparks II (US 6,352,479) in view of Yoseloff et al (US 2002/0074726), Yamada (US

6,398,651), and De Souza (US 6,033,306) and further in view of Slomiany et al (US

6,159,098). The teachings of Sparks II, Yoseloff et al, and Yamada have been discussed

above.

        Re claim 5: Sparks II teaches the gaming system and method for providing a game

comprising personal attribute information.

        However, Sparks II fails to teach the gaming system and method wherein game credits

which serve as virtual currencies transferable among the players during the game and which are

utilized for determining respective ranking positions of the players are awarded by the control

device in a larger amount to a winner of the game in the special mode than in the normal mode.

        Slomiany et al teaches the gaming system and method wherein game credits which serve

as virtual currencies transferable among the players during the game and which are utilized for

determining respective ranking positions of the players are awarded by the control device in a

larger amount to a winner of the game in the special mode /*bonus game* than in the normal mode /

basic game **(see col.1, lines 45-47)**.

        Therefore it would have been obvious to one of ordinary skill in the art at the time the

invention was made to include larger amounts of credits in the special mode than in normal mode

so as to produce a significantly higher level of player excitement thereby providing greater

expectation of winning.

        Re claims 18 and 19: The teachings of Sparks II, Yoseloff et al, De Souza, and

Yamada have been discussed above.

However, they do not explicitly teach wherein special / bonus game is common or different feature.

Slomiany et al teaches wherein special game is common or different feature **(see col.1, lines 29-35)**.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate these teachings. One would be motivated to do this so as to have a system where the bonus/special game could be similar or different from the main feature of the game thereby providing more variety of special games for the player and hence making the game interesting.

7.   Claims 22,25, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sparks II (US 6,352,479) in view of Dunlap (US 2002/0068630), De Souza (US 6,033,306), Slomiany et al (US 6,159,098), and Marks et al (US 5,882,260).

Re claim 22: Sparks II teaches a gaming system for providing a game, comprising a gaming server (14), and a plurality of gaming terminals (18) connected via a communications network (16), each said gaming terminal being operable by one of a plurality of players; wherein the game server includes a storage device storing and providing personal attribute information / *personal profile* with storing region for storing personal attribute information / *personal profile* corresponding to each of a plurality of players participating in a game **(see figs.1 and 2; col.3, lines 1-9 and col.5, lines 17-18 and 48-51)**; receive player entry signals sent from the gaming terminals, authentic players

according to authenticate information input from the gaming terminals (106,108,110), generate a player group, determine whether the personal attribute information of each the players of the player group shares a common feature, generate a special game and send a special game start signal to the gaming terminals of the player group, when it is determined that the personal attribute information shares a common feature, manage the special game played by the player group, renew the personal attribute information of each player of the player group based on the result of the game / *after game play* **(see figs.5A,6B, and 12; abstract; col.5, lines 17-20 and col.6, lines 18-34)**.

However, Sparks II fails to explicitly teach the gaming system generating group of players composed of a predetermined number of players.

De Souza teaches generating group of players composed of a predetermined number of players **(see col.9, lines 40-45)**.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to make this combinations. One would be motivated to do this so as to have a system with predetermined amount of players thereby providing the need for players to wait for other players before the game can be played.

Re claims 25,30,31, and 36: The teachings of Sparks II have been disclosed above.

However, Sparks II does not explicitly teach a game and a title thereof are related to common features in the personal attribute information of all players participating in the game, and the game server is further configured to award the title to the winner of the game.

Marks et al teaches a game and declaration/title related to the personal attribute of players and further awarding a title to the winner of the game **(see col.20, lines 10-21)**.

Slomiany et al teaches wherein special game is common or different feature **(see col.1, lines 29-35)**.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the combinations. One would be motivated to do this so as to have a system where the bonus/special game could be similar or different from the main feature of the game thereby providing more variety of special games for the player and hence making the game interesting and awarding a title after the game name to a winner of Marks et al into the system of Sparks II since awards may be in any form thereby making the player more interested in the game so as to be awarded the game name title.

Re claims 32 and 33: The teachings of Sparks II have been disclosed above.

However, Sparks II does not teach wherein jewels and points are used for showing the results of the game, and the server in renewing the personal attribute information is configured to take a jewel form the lowest-scored player of the game, and give the jewel to the highest-scored player, and award points according to the results of the game; wherein the server awards more points to the player, when the jewel is the birthstone of the player having personal attribute stored in the storage device.

Dunlap teaches awarding prizes to the winner/high-scored among the players where the player data/birthstone is associated with the user terminal and their respective associated key data **(see abstract)**.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the player's data and prize allocation of Dunlap into the system of Sparks II. One would be motivated to do this so has to have a system whereby prizes can be rewarded to the player that succeeds in the game above other players. The inclusion of Jewels as a prize type is simply a design choice since anyone familiar with games realizes that anything could be used as the payout and reward all depending on the inventor's choice.

8.   Claims 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sparks II (US 6,352,479) in view of Yoseloff et al (US 2002/0074726), Yamada (US 6,398,651), and De Souza (US 6,033,306) and further in view of Slomiany et al (US 6,159,098) and Dunlap (US 2002/0068630) and further in view of Marks et al (US 5,882,260).

Re claim 27: Sparks II teaches a gaming method utilizing a plurality of gaming machines (18) connected via a communications network (16) connected to a communications network (16), and a gaming server (14) provided with a personal attribute information / *personal profile* storing region for storing personal attribute information / *personal profile* corresponding to each of a plurality of players participating in a game **(see figs.1 and 2; col.3, lines 1-9 and col.5, lines 17-18 and 48-51)**.

However, Sparks II fails to teach the gaming method comprising server determining before the game starts whether the game should be shifted to a special mode based on features of the personal attribute information of at least one of the players; server transmitting a signal for causing the game to shift to the special mode to the gaming

machine through the communications network in response to the generated event, and server awarding a title after the game name to a winner of the game according to the generated event.

Yoseloff et al teaches the gaming method comprising determining / *considered to determine* whether an event for causing the game to shift to a special mode / *bonus event* entitled a game name based on features of the personal attribute information / *player identity* is to be generated, transmitting a signal for causing the game to shift to the special mode to the gaming machine through the communications network in response to the generated event **(see par.30, lines 3-11)**.

Yamada teaches special game shift of playing against computer rather than play against another player before the game starts; not dependent on the identity of the players but on the availability of players **(see col.9, lines 29-35)**.

Marks et al teaches the gaming method comprising awarding / *declaring* a title to a winner of the game **(see col.20, lines 18-21)**.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a method of determining an event for shifting to a special mode from a normal mode so that players of the game will have more chances to win during a special mode game play thereby increasing the player's enjoyment of the game and it is also obvious to award a title after the game name to a winner since awards may be in any form thereby making the player more interested in the game so as to be awarded the game name title.

Re claim 28: Sparks II teaches the gaming method further comprising the server generating a player group based on the features of the personal attribute information / *personal profile* of each of the plurality of players **(see col.6, lines 18-33)**.

However, Sparks II fails to teach the gaming method further comprising determining whether the event for causing the game to shift to the special mode is to be generated based on the features of the personal attribute information of each of the players of the players of the player group; shift based on achievements in previous games.

Yoseloff et al teaches the gaming method further comprising determining / *considered to determine* whether the event / *triggering event* for causing the game to shift to the special mode / *bonus event* is to be generated based on the features of the personal attribute information / *player identity* of each of the players of the players of the player group; shift based on achievements in previous games / *predetermined outcomes* **(see par.30, lines 3-11)**.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a special game shift means for shifting to a special mode from a normal mode so that players of the game will have more chances and opportunity to win during a game play thereby increasing the player's enjoyment of the game.

9.   Claims 30,31,33, and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sparks II (US 6,352,479) in view of Yoseloff et al (US 2002/0074726), Yamada (US 6,398,651), and De Souza (US 6,033,306) and further in view of Slomiany et al (US 6,159,098) and Dunlap (US 2002/0068630). The teachings of Sparks II, Yoseloff et al, and Yamada have been discussed above.

Re claims 30,31, and 36: The teachings of Sparks II have been disclosed above.

However, Sparks II does not explicitly teach a game and a title thereof are related to common features in the personal attribute information of all players participating in the game, and the game server is further configured to award the title to the winner of the game.

Marks et al teaches a game and declaration/title related to the personal attribute of players and further awarding a title to the winner of the game **(see col.20, lines 10-21)**.

Slomiany et al teaches wherein special game is common or different feature **(see col.1, lines 29-35)**.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the combinations. One would be motivated to do this so as to have a system where the bonus/special game could be similar or different from the main feature of the game thereby providing more variety of special games for the player and hence making the game interesting and awarding a title after the game name to a winner of Marks et al into the system of Sparks II since awards may be in any form thereby making the player more interested in the game so as to be awarded the game name title.

Re claim 33: The teachings of Sparks II have been disclosed above.

However, Sparks II does not teach wherein jewels and points are used for showing the results of the game, and the server in renewing the personal attribute information is configured to take a jewel form the lowest-scored player of the game, and give the jewel to the highest-scored player, and award points according to the results of the game; wherein

the server awards more points to the player, when the jewel is the birthstone of the player having personal attribute stored in the storage device.

Dunlap teaches awarding prizes to the winner/high-scored among the players where the player data/birthstone is associated with the user terminal and their respective associated key data **(see abstract)**.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the player's data and prize allocation of Dunlap into the system of Sparks II. One would be motivated to do this so has to have a system whereby prizes can be rewarded to the player that succeeds in the game above other players. The inclusion of Jewels as a prize type is simply a design choice since anyone familiar with games realizes that anything could be used as the payout and reward all depending on the inventor's choice.

Response to Arguments

10.   Applicant's arguments and amendments with respect to the pending claims have been considered but are moot in view of the new grounds of rejection.

Conclusion

11.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.   Accordingly, **THIS ACTION IS MADE FINAL**.   See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adetokunbo O. Torimiro whose telephone number is (571) 270-1345. The examiner can normally be reached on Mon-Fri (8am - 4pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

/A. O. T./

Examiner, Art Unit 3714

/Robert E Pezzuto/

Supervisory Patent Examiner, Art Unit 3714